

REMARKS

Applicant, by the arguments and evidence presented herein, has made a concerted effort to present claims which clearly define over the prior art of record, and thus to place this case in condition for allowance.

In the Office Action mailed May 27, 2009, the Examiner rejected the claims under Section 103, citing Japanese Patent Nos. 11-106570 (Yamamoto) and further in view of United States Patent No. 6,596,198 to Semen. Applicant respectfully requests reconsideration of the rejections.

The present application claims a method of manufacturing a polyolefin resin. Applicant has previously established that the selection of materials to manufacture a polyolefin-polyamide resin is not predictable. *See* Declaration of Norishige Kawaguchi, previously submitted in this application, at paragraph 10. Applicant notes that the Examiner did not dispute this conclusion.

As noted by the Examiner, Semen teaches manufacturing a polyolefin resin. Semen does not teach manufacturing a polyolefin-polyamide resin. Semen does not apply to manufacture of a polyolefin-polyamide resin, and is therefore not properly combinable with Yamamoto '570 as the Examiner has done in this application. Accordingly, the selection of materials to make one type of chemical, such as polyolefin resin, is not necessarily transferrable to the manufacture of a different type of chemical, such as a polyolefin-polyamide resin. Therefore, a person of skill in the art would not look to a reference such as Semen to determine what materials to select.

Please note that this conclusion is fully in accord with the Office's Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court

Decision in *KSR International Co. v. Teleflex Inc.*, 72 Fed. Reg. 57526. The rationales to support rejections under Section 103, as set forth in those Guidelines, require predictable results, similar products, or predictable solutions. The selection of materials for manufacture of polyolefin resin will not yield predictable results for the manufacture of polyolefin-polyamide resin. Applicant accordingly respectfully requests reconsideration of the Section 103 rejection.

Moreover, even if Yamamoto '570 and Semen are properly combined, the combination still does not render obvious the claims of the present application. Applicant recognizes that Semen describes antioxidants of various melting points, and that some of the antioxidants have melting points within the range claimed in the present application. The existence of these antioxidants is besides the point. Applicant agrees that antioxidants with melting points within the claimed ranges existed in the prior art, as described in Semen.

What Applicant invented, however, as claimed in the present application, is the combination of two antioxidants having the melting point ranges claimed in claim 1. Semen does not disclose using the claimed combination. The claimed combination of antioxidants, a first antioxidant with a melting point of 70-170 °C and a second antioxidant with a melting point of 180-300 °C, is novel and is not taught by or suggested by Semen. It is the combination claimed by Applicant that makes the claims of the present application novel and nonobvious over Yamamoto and Semen.

Applicant's claimed ranges produce unexpected and synergistic effects not taught or suggested by the cited references. By selecting a first antioxidant having a melting point in the range of 70 to 170 °C, a second antioxidant having a melting point in the range of 180 to 300 °C,

and a polyamide having a melting point in the range of 160 to 265 °C, Applicant produces the following unexpected and synergistic effects:

1. Ability to knead and disburse the polyamide in the form of fiber;
2. Preventing high-temperature deterioration of the polyamide;
3. Preventing scorching and thermal decomposition of the polyolefin; and
4. Enabling longer operating time, and therefore increased productivity, by avoiding stopping to dismantle the extruder in order to clean and remove scorches.


Applicant relies on the Declaration of Norishige Kawaguchi, attached hereto.

In view of the above evidence and remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the present claims not be deemed adequate to effectively define the patentable subject matter, the Examiner is respectfully urged to call the undersigned attorney of record to discuss the claims in an effort to reach an agreement toward allowance of the present application.

Respectfully submitted,

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By: _____


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